

BMS Case No. _____

File No. _____

PUBLIC SECTOR JOINT REQUEST FOR CERTIFICATION OF EXCLUSIVE REPRESENTATIVE:

The undersigned petitioner(s) request that the Bureau of Mediation Services certify the named union as the exclusive representative for the appropriate unit proposed below in accordance with the Public Employment Labor Relations Act (Minn. Stat. 179A.01 to 179A.25).

Name of Union: _____ Phone: () _____

Address: _____

Name of Representative: _____ Phone: () _____

Address: _____

Name of Employer: _____ Phone: () _____

Address: _____

Name of Representative: _____ Phone: () _____

Address: _____

Names, addresses, and phone numbers of all other employee organizations having an interest in, or claiming to represent, any of the employees affected by this petition:

Type of Governmental Agency:

- ☐ County
☐ Municipality
☐ School District

- ☐ Special Board/Comm.
☐ State of Minnesota
☐ U of M
☐ Other public

Number of employees covered by this request: _____

Description of **PROPOSED** Unit: _____

AUTHORIZATION CARDS SUBSTANTIATING MAJORITY SUPPORT MUST ACCOMPANY THIS REQUEST. (See M.S. 179A.12, subd. 2 and 6 and Minn. Rules 5510.0810 on reverse side.) A COPY OF THE CONSTITUTION AND BY-LAWS OF THE EMPLOYEE ORGANIZATION MUST ACCOMPANY THIS REQUEST UNLESS THEY HAVE BEEN PREVIOUSLY FILED. (See Minn. Rules 5510.0410 on reverse side.)

The undersigned affirm that the employee organization does, in fact, represent more than 50% of the employees in the appropriate unit.

For the Employer:

Signature: X _____

Name (Print or type) _____

Title: _____

Date: _____

For The Union:

Signature: X _____

Name (Print or type) _____

Title: _____

Date: _____

M.S. 179A. 12, Subd. 2. Certification upon joint request. The commissioner may certify an employee organization as an exclusive representative in an appropriate unit upon the joint request of the employer and the organization if, after investigation, the commissioner finds that no unfair labor practice was committed in initiating and submitting the joint request and that the employee organization represents over 50 percent of the employees in the appropriate unit. This subdivision does not reduce the time period or nullify any bar to the employee organization's certification existing at the time of the filing of the joint request.

Subd. 6. **Authorization signatures.** In determining the numerical status of an employee organization for purposes of this section, the commissioner shall require dated representation authorization signatures of affected employees as verification of the statements contained in the joint request or petitions. These authorization signatures shall be privileged and confidential information available to the commissioner only.

Minn. Rules 5510.0810 AUTHORIZATION SIGNATURES.

Subp. 1. **Confidentiality.** Authorization signatures submitted in support of a petition shall be privileged and confidential information pursuant to Minnesota Statutes, section 179A.12, subdivision 6, and may only be withdrawn by the petitioner.

Subp. 2. **Valid authorization signatures.** Authorization signatures submitted in accordance with Minnesota Statutes section 179A.12, must be in the form of individual authorization cards which include:

- A. a statement clearly reflecting the employee's support for the purpose of the petition;
- B. the clearly printed name of the employee making the authorization;
- C. the signature of the employee; and
- D. the date the employee signed the card.

Authorization cards may contain the name, address, and phone number of an employee organization.

Subp. 3. **Invalid authorization card.** The commissioner shall consider invalid any authorization card which:

- A. does not include the information and statements required by parts 5510.0110 to 5510.2310;
- B. contains statements of explanation, interpretation, or advice;
- C. is modified or altered in any way; or
- D. is dated more than six months prior to the receipt of the petition by the commissioner.

Subp. 4. **Effect of invalid authorization card.** The commissioner shall not include invalid authorization cards in determining whether a petition has the necessary showing of interest. If there is evidence that authorization cards submitted to establish a showing of interest were obtained or submitted in a fraudulent manner, the petition or intervention will be denied and a one-year election bar for that unit shall be applied to the party submitting fraudulent cards.

Minn. Rules 5510.0410 FILING PETITION.

Subpart 1. **Conditions.** To file a petition an employee organization or exclusive representative must:

- A. have a written constitution or bylaws that provides for:
 - (1) election of officers;
 - (2) filling of vacancies in elected offices; and
 - (3) a purpose which, in whole or in part, must be to deal with public employers concerning grievances and terms and conditions of employment; and
- B. have the petition signed by an authorized representative of the employee organization.

To file a petition an employer must have the petition signed by an authorized representative of the employer.

To file a petition a public employee must be included in an appropriate unit for which there is an exclusive representative, or be subject to a fair share fee assessment by the exclusive representative.